

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commission of Baltimore County, this day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 103, Zoning Advisory Committee Meeting of Nov. 1, 1983

Property Owner: Donald C. & Sharon L. Mills
Location: S/S Old Court Road District 3

Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 154-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Nov 25, 1983
Date

Zoning Item # 103
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
() The results are valid until _____
() Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.

() All roads and parking areas should be surfaced with a dustless, bonding material.

() No health hazards are anticipated.

(x) Other Private water and sewage disposal systems appear to be functioning properly. Proposed enclosure will not interfere with either of these systems.

[Signature]
Jan. J. Poyet, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

November 29, 1983

PAUL H. REYNOLDS
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Donald C. & Sharon L. Mills

Location: S/S Old Court Road 31' W. from centerline Grasty Road

Item No.: 103

Zoning Agenda: Meeting of November 1, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3500

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #103 Zoning Advisory Committee Meeting are as follows:

Property Owner: Donald C. & Sharon L. Mills
Location: S/S Old Court Road 31' W. from Centerline Grasty Road
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit a rear yard setback of 20' in lieu of the required 50'.

Acres: 70.11/160.00 x 280.60/507.10
District: 3rd.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 10-82 and other applicable codes.
- X B. A building/s other miscellaneous structures are required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for commercial uses or 3'0" for One & Two Family use group, of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 1607 and Table 1602, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 205 and the required construction classification of Table 101.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
[Signature]
Charles E. Burnham, Chief
Plans Review

CES:aa

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date:

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: November 1, 1983

RE: Item No: 100, 101, 102, 103, 104, & 105.
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,
[Signature]
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/ih

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

January 6, 1984

Mr. & Mrs. Donald C. Mills
2619 Old Court Road
P.O. Box 20
Brooklandville, Maryland 21022

IN RE: Petition Zoning Variance
SW corner of Old Court Road and
Grasty Road - 3rd Election District
Donald C. Mills, et ux, Petitioners
Case No. 84-165-A

Dear Mr. & Mrs. Mills:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,
[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

ZONING DESCRIPTION

Beginning on the south side of Old Court Road, 31' west of center line of Grasty Road, being Lot 18, Block B in the subdivision of Glenclyffe, Book EHKJR 38/107, also known as 2619 Old Court Road in the 3rd Election District.

MAR 21 1984

PETITION FOR VARIANCE

3rd Election District
 ZONING: Petition for Variance
 LOCATION: Southwest corner of Old Court Road and Grasty Road
 DATE & TIME: Wednesday, January 4, 1984 at 10:15 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 20 ft. instead of the required 50 ft.

The Zoning Regulation to be excepted as follows:
 Section 1B02.3.B (202.4) - rear yard setback in D.R. 1 zone

All that parcel of land in the Third District of Baltimore County

Being the property of Donald C. Mills, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

IN RE: PETITION ZONING VARIANCE
 SW/corner of Old Court Road
 and Grasty Road - 3rd Election
 District
 Donald C. Mills, et ux,
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 84-165-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 20 feet instead of the required 50 feet in order to allow them to enlarge and enclose an existing porch, as shown on Petitioners' Exhibit 1.

The Petitioner, Donald C. Mills, appeared and testified. There were no Protestants.

Testimony indicated that the property is zoned D.R.1. The Petitioners wish to enlarge and enclose an existing covered porch which is attached to the rear of the house and faces a private road leading from Old Court Road. Additional space is needed as the current home has only six rooms, two of which are bedrooms, and two adults and two children live there. Further, the condition of the porch is deteriorating, and it would be convenient to rebuild to enlarge it. Other benefits would accrue as the enlargement would be to the south, thus providing a sunspace to supply additional natural heat. The enclosed room would be 16' x 16', which would result in a setback seven feet closer to the rear property line than the present porch. The Petitioners cannot expand elsewhere due to the location of the existing well and other natural impediments. The existing porch provides a natural area for such expansion as it abuts the living room which is bounded by three exterior walls. The rear property line is approximately 30 feet from the dwelling on the neighboring property.

ORDER RECEIVED FOR FILING
 DATE 1/10/84
 J. J. [Signature]

The Petitioners seek relief from Section 1B02.3.B. (202.4), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

ORDER RECEIVED FOR FILING
 DATE 1/10/84
 J. J. [Signature]

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10 day of January, 1984, that the Petition for Variance to permit a rear yard setback of 20 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
 Zoning Commissioner of
 Baltimore County

ORDER RECEIVED FOR FILING
 DATE 1/10/84
 J. J. [Signature]

- 2 -

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

December 23, 1983

Mr. & Mrs. Donald C. Mills
 P. O. Box 20
 Brooklandville, Maryland 21022

Re: Petition for Variance
 SW/corner Old Court Rd. & Grasty Rd.
 Donald C. Mills, et ux - Petitioners
 Case No. 84-165-A

Dear Mr. & Mrs. Mills:

This is to advise you that \$50.25 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,
 [Signature]
 ARNOLD JABLON
 Zoning Commissioner

Mr. & Mrs. Donald C. Mills
 P. O. Box 20
 Brooklandville, Maryland 21022

NOTICE OF HEARING

Re: Petition for Variance
 SW/corner of Old Court Road and Grasty Road
 Case No. 84-165-A

TIME: 10:15 A.M.
 DATE: Wednesday, January 4, 1984
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
 Zoning Commissioner
 of Baltimore County

CERTIFICATE OF PUBLICATION

Fikesville, Md., Dec. 14, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Fikesville, Baltimore County, Maryland before the 4th day of January, 1984

the first publication appearing on the 14th day of Dec., 1983

the second publication appearing on the day of , 19

the third publication appearing on the day of , 19

THE NORTHWEST STAR

[Signature]
 Manager

Cost of Advertisement \$26.00

LEGAL NOTICE
 PETITION FOR VARIANCE
 3rd Election District
 ZONING: Petition for Variance
 LOCATION: Southwest corner of Old Court Road and Grasty Road
 DATE & TIME: Wednesday, January 4, 1984 at 10:15 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 20 ft. instead of the required 50 ft.

The Zoning Regulation to be excepted as follows:
 Section 1B02.3.B (202.4) - rear yard setback in D.R. 1 zone

All that parcel of land in the Third District of Baltimore County

Being the property of Donald C. Mills, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
 ARNOLD JABLON
 Zoning Commissioner
 of Baltimore County

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 124058

DATE 1/13/84 ACCOUNT R-01-615-000

AMOUNT \$50.25

RECEIVED FROM Donald C. Mills

FOR Advertising & Posting Case #84-165-A

1/13/84

6 085*****502510 5048A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 121552

DATE 1/20/84 ACCOUNT R-01-615-000

AMOUNT \$35.00

RECEIVED FROM [Signature]

FOR [Signature]

1/20/84

6 D17*****350010 8216A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 15, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., before the 15th day of January, 1984, the 15th day of the month of January, 1984, the 15th day of the month of January, 1984, the 15th day of the month of January, 1984.

THE JEFFERSONIAN
 [Signature]
 Manager

Cost of Advertisement, \$ 19.25

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 3rd
 Date of Posting 12-15-83

Posted for: Variance

Petitioner: Donald C. Mills et ux

Location of property: SW/corner of Old Court and Grasty Road

Location of Signs: SW/corner of Old Court and Grasty Road

Remarks:

Posted by: [Signature]
 Signature

Date of return 12-22-83

Number of Signs: 1

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Catrider
Administrator

November 21, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting of 10-25-83
ITEM: #99.
Property Owner: Michael J. Svezese, Jr.
Location: SE/S Philadelphia Road, Route 7, 546.67' S/W from centerline Middle River Road
Existing Zoning: D.R. 16 & M.L.R.-IM
Proposed Zoning: Variance to permit a side yard setback of 22' in lieu of the required 30' and the sum of 44' in lieu of the required 80' and a setback of 22' from a residential zone line in lieu of the required 100'.
Acres: 70 X 626
District: 15th

Dear Mr. Jablon:

On review of the site plan of 10-10-83 and field inspection, the State Highway Administration offers the following comments.

The proposed woodshop and warehouse shows dimensions of 26' x 125' + (3,250 sq. ft.). With such a large building, I requested Mr. Svezese to provide this office with a letter stating his intended use of the building, private or commercial.

Mr. Svezese explained in his letter of 11-3-83 (copy attached) that the proposed use of the woodshop would be of personal use, with all materials transported by himself to the site and no outside deliveries.

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Mr. A. Jablon -2- November 21, 1983

With the nature of the site remaining a personal and private use, the State Highway Administration finds the plan generally acceptable.

It is requested Mr. Svezese's letter of 11-3-83 be made a part of the Zoning Commissioners order and that any change in use of the woodshop from personal or private use to commercial use will require State Highway Administration entrance improvements along the frontage of the site based on existing criteria and under permit.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle

3505 Philadelphia Rd.
Baltimore Md. 21237
November 3, 1983

Mr. George Wittman
State Highway Administration
707 N. Calvert St.
Baltimore Md. 21203

Dear Mr. Wittman:

I am writing to you in reference to our conversation 1:30 PM on 11/2/83. Here is the letter you requested. As I explained to you on the phone, the woodshop I proposed is for my own private personal use. I don't want any thourfare for public use at all! The operation will be very small in nature and there will be no delivery truck. Any materials I will need I shall pick up myself.

Residing at 3505 Philadelphia Rd. is convenient for me because it's very close commuting to work. I instruct course at Eastern Community College, and Eastern Vocational Technical Center, part time. When I'm not teaching, the woodshop will enable me to utilize the rest of my working time. I plan to spend the rest of my life residing at 3505 Philadelphia Rd. working and raising my family. Therefore I will never sell my property. If any more information is needed please do not hesitate to call me.

Respectfully Yours,
Michael J. Svezese Jr.
Michael J. Svezese Jr.

RECEIVED

NOV 9 1983
BUR. OF ENGR.
ACCESS PERMITS



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

November 10, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 99 -ZAC- Meeting of October 25, 1983
Property Owner: Michael J. Svezese, Jr.
Location: SE/S Philadelphia Road 546.67' S/W from centerline Middle River Road
Existing Zoning: D.R. 16 & M.L.R.-IM
Proposed Zoning: Variance to permit a side yard setback of 22' in lieu of the required 30' and the sum of 44' in lieu of the required 80' and a setback of 22' from a residential zone line in lieu of the required 100'.
Acres: 70 X 626
District: 15th

Dear Mr. Jablon:

All access to this site will be subject to the State Highway Administration's approval.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. #1

MSF/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner
TO: Office of Planning and Zoning

Date: November 2, 1983

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items
Meeting - October 18, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item #92 - John R. Lucyle A. Phillips
- Item #94 - Baltimore and Ohio Railroad
- Item #97 - Wilbur W. & Anne F. Ellison
- Item #99 - Michael J. Svezese, Jr.

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 29, 1983

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Michael J. Svezese, Jr.

Location: SE/S Philadelphia Road 546.67' S/W from centerline Middle River Road
Item No.: 99 Zoning Agenda: Meeting of October 25, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicle access is required for the site.

- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

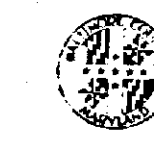
- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments.

REVIEWER: *George M. Hagan*
Planning Group Fire Prevention Bureau
Special Inspection Division

- * Driveway shall be paved and support 50,000 lb. fire apparatus.

14 84-166A



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED LAEMMUR
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 99 Zoning Advisory Committee Meeting are as follows:

Property Owner: Michael J. Svezese, Jr.
Location: SE/S Philadelphia Road 546.67' S/W from centerline Middle River Rd.
Existing Zoning: D.R. 16 & M.L.R.-IM
Proposed Zoning: Variance to permit a side yard setback of 22' in lieu of the required 30' and the sum of 44' in lieu of the required 80' and a setback of 22' from a residential zone line in lieu of the required 100'.
Acres: 70 x 626
District: 15th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/ other miscellaneous structure shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproducible seals and signatures are required on Plans and Technical Data.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Item 2, Section 1107 and Table 1102, also Section 501.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 502 and the required construction classification of Table 101.
- X I. Comments- Provide 1 approved Handicapped Parking space. Work shop shall be properly separated from storage area as per Building Code Section 312.0.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:es

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent Towson, Maryland - 21204

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Date: October 24, 1983

Z.A.C. Meeting of: October 25, 1983

RE: Item No: 96, 97, 98, & 99
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/1h

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- 1). Introduction letter-(Mr. Jablon).
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 - 3). #2 Copy list-(Zoning Variance Contacts).
 - 4). #3 Copy law-(Zoning law, Section 307-Variences).
 - 5). Interpretation Section 307-Variences.
 - 6). Burden of Factual Proof.
 - 7). Practical Difficulty and Hardship.
 - 8). 10,11,12). Supportive Documentation.
 - 9). 13-14). Testimony Letters.
 - 10). Closing letter-(Mr. Jablon).
- Reminder consists of Plans, Pictures, and Scale Model.

January 4th, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland

RE: Item # 99, Case # 84- 166-A
Owner-Petitioner, Michael J. Svezzese Jr.
Variance Petition

Dear Mr. Jablon,

I hope your holidays were a happy one. Being a property owner of Baltimore County and going through the variance procedures was an intriguing learning experience for me. I am overwhelmed at the extent of help I have received from Mr. Commadari and the staff of the Zoning office. I sent a letter of thanks to Mr. Commadari's office (#1 copy enclosed). Acting on the instructions of Mr. Commadari I contacted all parties involved with respect to evaluations of my property (#2 copy enclosed). All the people I talked to on the list wished me good luck at the hearing. This also impressed me!! Following this letter you will notice I have been advised as to the type of research I needed to do to present a factual case on my behalf. Upon going to the public library I first researched the Zoning Laws Book and read section 307-Variences (B.C.Z.R., 1955 ; Bill No. 107, 1963.)(copy enclosed). This gave me a starting point as to what to do. After reading section 307 I was convinced that the burden of factual proof is my responsibility and I will therefore attempt to prove beyond a reasonable doubt as to the solidity and dire need of this woodshop warehouse proposed before you. Following are all research reports, plans, scale model, and supportive documents for your evaluation. Good luck to you sir, and to all who helped me, and I hope 1984 is a good year for all.

Respectfully,
Michael J. Svezzese Jr.
Michael J. Svezzese Jr.

January 4th, 1984

Copy #2 Advisory Committee Comments

- #1). Mr. Robert A. Morton, P.E. Chief Bureau of Public Services.
Comment, " A tributary to White Marsh Run traverses this property. Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100 year design storm. However, a minimum width of 50 feet is required."
I contacted Mr. Morton at 494-3321 on 12/23/83 about the fact of water traversing the said property and brought it to his attention that the stream runs parallel to my property on the vacant residential lot next door. He advised me to talk to Mr. Ringer at 494-3751. I contacted Mr. Ringer on 12/29/83 about this matter and he stated that the topography maps show that the stream touches the farthest extreme corner of the property which is 225 feet away from the proposed building. Also stated was the fact that the property which was the vacant lot in all probabilities can't be built on because of the stream running through it parallel to my property. Kings court shopping center is directly across the street from my property and topography wise it is lower than my property, which means that the 100 year design storm would effect the shopping center if the storm did ever occur. (see pictures).
- #2). Mr. Charles Lee, Chief Bureau of Engineering access Permits
Comment paragraph #2 states dimensions "26'x125'x(3,250sq. ft.). With such a large building, I requested Mr. Svezzese to provide this office with a letter stating his intended use of the building, private or commercial."

I contacted Mr. Wittman on 11/2/83 and sent a letter of intended use of my woodshop warehouse, (letter on file on site plan comments). Please note, Bosch Distributing, Directly next door to the proposed building is approximately 15 times larger than the proposed wood shop. Therefore in comparison the statement LARGE in fact is very small. Also explained in my letter is the fact that the building is for my own private personal use only and there will be no throughfare and no delivery trucks. No entrance improvements are therefore required.

Copy #2 Continued

- #3). Captain Joseph Kelly, Baltimore County Fire Department.
Comment, " Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works."
I contacted Captain Kelly on 12/27/83 at 494-3985 and we discussed the above comment. I explained to him that the fire hydrants were directly across the street and there were two of them. He then advised me to include them on my site plan. I revised my site plan and copy is enclosed. We also discussed the design and structure of the building and it complied with the fire safety codes.
- #4). Charles E. Burnham, Chief Plans Review.
Comment " Provide 1 approved Handicapped Parking space. Work shop shall be properly separated from storage area as per Building Code Section 312.0. (copy enclosed)."
I contacted Mr. Burnham on 12/27/83 at 494-2937 and we first discussed the handicapped requirement and I stated the building in question will have no thoroughfare and be of private personal use and he said that I still need a handicapped parking space so I agreed to put one in. The next item we discussed was the fire wall separation from work and storage area. I told him that I proposed 8" block walls and Mr. Burnham stated that 8" block was more than enough. I talked with several other people at your building and will be more than happy to make available their comments upon your request.

Section 306—MINOR PUBLIC UTILITY STRUCTURES [B.C.Z.R., 1955.]

Minimum lot area regulations in any zone shall not apply to repeater, booster, or transformer stations, or small community dial offices. [B.C.Z.R., 1955; Resolution, November 21, 1956.]

Section 307—VARIANCES [B.C.Z.R., 1955; Bill No. 107, 1963.]

The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from offstreet parking regulations and from sign regulations, only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking, or sign regulations, and only in such manner as to grant relief without substantial injury to public health, safety, and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance. [B.C.Z.R., 1955; Bill No. 107, 1963.]

1. Apparently conflicts with Article 11 of Title 22, Baltimore County Code 1976 as amended (Appendix D), which prescribes requirements with respect to notice and hearing regarding conventional reclassification petitions that differ from those which it prescribes regarding variance petitions. (See Section 22-31 of the same article for provision regarding conflicts between Title 22 and the Zoning Regulations.)

January 4th, 1934

Interpretation Section 307-Variences

After reading carefully through section-307 several times, I have concluded the following:

- A). The application of a variance is required by law so as to give public notice of a public hearing. This enables concerned people in the community the right to an opinion on said variance.
- B). The Zoning Commissioner of Baltimore County is given the power to grant variances from regulations only in cases where practical difficulty or unreasonable hardship exist.
- C). Variance shall be granted only if in strict harmony with the spirit and intent to grant relief without substantial injury to public health, safety, and general welfare.
- D). Any order by the Zoning Commissioner granting a variance shall contain a finding of fact setting forth and specifying the reason for making such variance.

This law, in my opinion, was designed to place the burden of proof on the petitioner as to why the variance is needed, therefore facts are needed to be presented.

It also enables community involvement which I believe is a must! The voice of concerned people in my community is as important to me as to the Zoning Commission. Without the voice of opinion the scales of justice will not be rightfully tipped to weigh the facts. Finally, the concern with safety and general welfare is most important. I would not attempt to raise my family in a setting where there is danger to their health, safety, and general welfare or would I want to impose any danger to my community.

January 4th, 1934

Burden of Factual Proof

The gathering of facts for the Zoning Commissioner enables an opportunity for me to prove beyond a reasonable doubt as to the reasons why said variance should be granted. Please note the following:

- 1). The vacant lot next door to me was zoned MLR-16 and changed to DR-15 (map enclosed) this effected my variance side yard setback requirements from a side yard setback to a greater setback. From 22' in lieu of the required 30' to a setback of 28' from a residential zone line in lieu of the required 100'.
- 2). I personally contacted all parties involved in the adjoining properties to mine and showed them the plans and scale model I have presented before you. (Letters enclosed under Testimony).
- 3). The empty lot next door to me has a stream that runs through it which is a tributary to White Marsh as stated by Mr. Robert Horton and requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100 year design storm. The fact is the lot can not be built on which nullifies the residential zone line rule as stated in #1 above.
- 4). My property, topography wise, is on an elevation which is indeed higher than Kings Court Shopping Center and a vast amount of residential houses directly behind the shopping center and to the side. These houses have basements and are in more of a danger of a 100 year design storm as well as the shopping center than I am.
- 5). The proposed building is of private personal use and not open to public thorough fare at all due to the concern of my families and I's privacy.
- 6). Building and site design is aesthetically pleasing and landscaped. Above code design and spec.
- 7). In no way shape or form does this proposal imply, or involve a threat to community safety or welfare but on the contrary, its purpose will benefit the community.
- 8). After completion of this project, the community will gain through the design and construction of learning aids, both in projects and video lessons for cable t.v., vocational schools, community colleges, high schools, etc.
- 9). The fact that there weren't any complaints, but instead testimony from my neighbors that favor the idea. (copies enclosed).

January 4th, 1934

Practical Difficulty and Hardship

Definition reference: Webster's New World Dictionary.
Practical- successful, concerned with application to useful ends, rather than theory. Hardship- hard circumstance of life. Hard to bear.
Difficulty- problem, obstacle, trouble, disagreement.

REASONS:

- 1). The change of Zoning maps on the empty lot next door to me from MLR-16 to DR-15 imposed a further setback rule.
- 2). My lot is properly zoned for the proposed building but the width of the lot, by law, is too short; although in the practical sense the lot has more than enough room for ingress and egress. Unless a variance is granted I can not obtain proper building permits.
- 3). My family and I wish to reside at 9505 Philadelphia Rd. for the rest of our life and not be forced to relocate because of my lively hood.
- 4). I need a retirement plan for the future so this building will enable me to work and do what I like to do for the rest of my life.
- 5). With having a workshop close to home and my family I have the ability to utilize all my time wisely when I'm not teaching. I can also cut costs by doing work myself instead of having to hire woodshops like Harvey and sons. I will be able to custom design and build all my own furniture, something I have been wanting to do for quite some time.
- 6). Being an Instructor at Community Colleges and Vocational Schools, I will enhance my professional skills by implementing, through design and construction, my own learning aids and video learning modules. To do this I need a facility.
- 7). Several cable T.V. stations have confronted me on the matter of video learning modules within my field of expertise, as stated in #6.
- 8). My wife and I are expecting a baby (maybe twins!) and relocation of my home office, drafting table, file cabinets, books etc., is a must. I need to separate my living space and work space.
- 9). All my expensive tools are presently improperly stored in a shed.
- 10). I presently own a part time custom contracting business where I contract and design items for most commercial business. Working out of the home limits diversification. I can't buy more tools like I need from time to time. I need room to draw plans and construct scale models.

January 4th, 1934

Practical Difficulty and Hardship continued.

- I'm forced to purchase materials at a higher price due to lack of warehouse space. Transporting table saws, radial arm saws, drill press, power mire table saws, is a problem, an expense, and at times an inconvenience. Tools get damaged in transport and sometimes stolen off jobs. Some items can't be transported. When working out in the field, sometimes there is improper lighting and lack of heat. This inhibits the proper curing of glues and finishes. Outdoor jobs like at the Baltimore Zoo limits work times due to weather where a shop eliminates this problem. Fabrication on jobs involve limited working hours and problems with crowd control.
- 11). My dad is retiring in 1935 and needs something to do to stay active. He loves to refurbish old time chests and furniture. He also has a remarkable talent for designing barrels for other purposes. My father will be the only other person that will work in the workshop, with me.
 - 12). My hobby is to design and sculpt in my spare time, therefore a dire need for workshop and warehouse space is a must.
 - 13). The proposed building will provide the use of my college education and practical hands on experience to its fullest degree possible, this my goal in life. Without it hope for progress is destroyed.

January 4th, 1934

Supportive Documentation

Upon coming to the close of this report I thought it necessary to submit supportive facts and documentation on my behalf to strengthen my case. In no way do I intend malice but instead only to stress a factual point.

After reading all reports supplied by Mr. Comasari I could not find any department opposed to my proposal. I contacted the planning office for feedback on their report which I did not receive. They also didn't object as stated over the phone. I have supplied testimony from my adjoining neighbors as to said variance petition and my neighbors favor the idea. I attested as to private personal use of the site and stated there will be no thoroughfare.

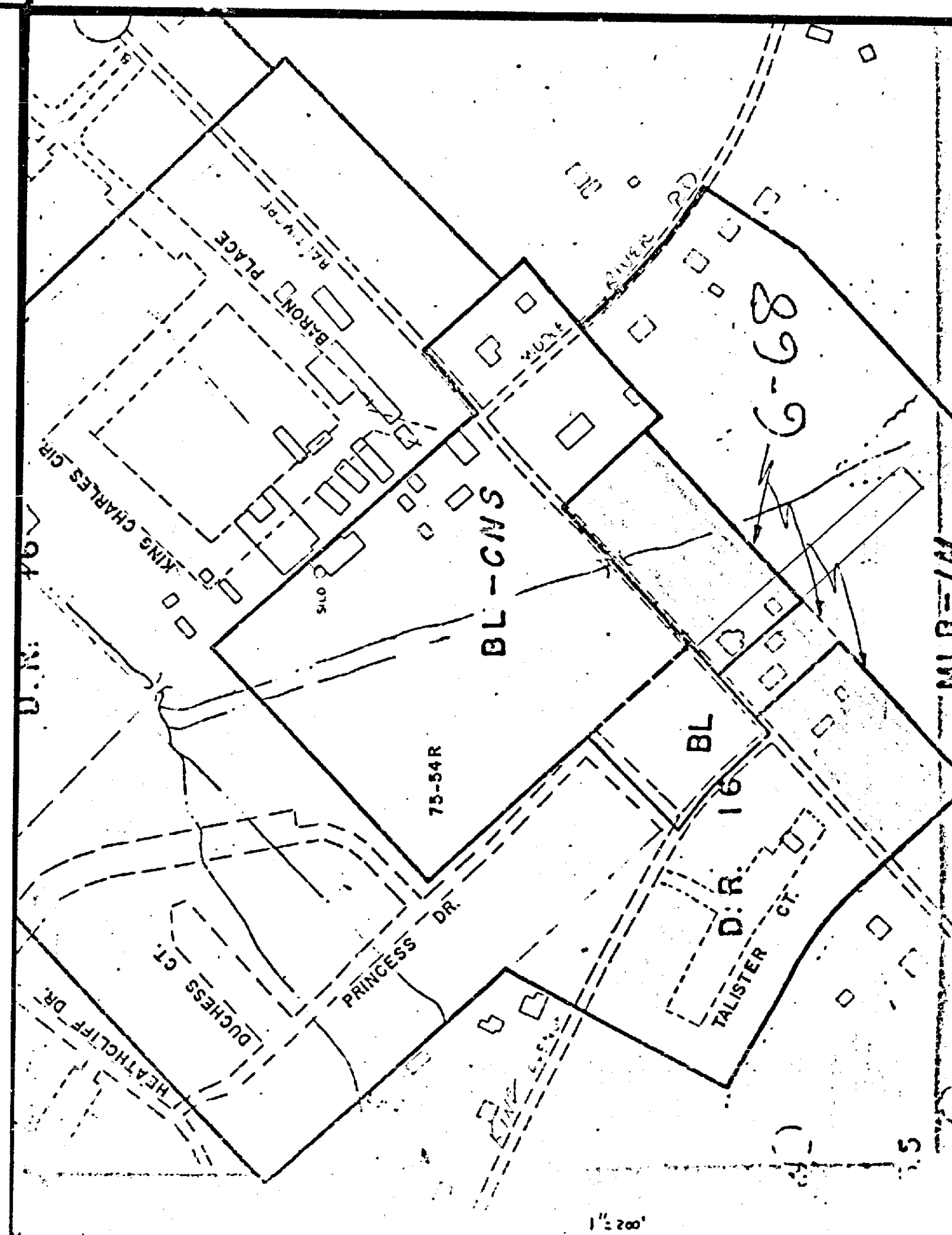
The one question of public health, safety, and welfare, of the neighborhood should be noted. The empty lot next door to me has been neglected for a long period of time and has a lot of trash on it. In the summer time the is a problem with insects and bats. The shopping center across the street from me does a massive business and eastbound traffic backs up because there is not a median strip to pass cars that are turning in the shopping center. Mars supermarket does not meet the 100' setback rule from residential zone. A nightclub called Ramors has opened recently in the shopping center and people who become intoxicated in that establishment drive out and indeed propose a threat to public safety. Philadelphia Inn does not meet the 100' setback rule from residential zone line and again people drive away from there intoxicated and propose a threat to public safety. Tractor trailers and Constar trucks travel Rt. 7 frequently and sometimes propose a threat when people are turning in the shopping center. The development of the White Marsh Mall area increased traffic on Rt. 7 drastically as well as all new businesses and developments. There is also many businesses on Rt. 7 and in Baltimore County that don't meet the setback rules that I am applying for in this variance. (pictures are available upon request.) There is a B.C.&E. dump site which was just opened on Rt. 7 and people in the community are worried about the dumping of hazardous waste there. Devils Elbow (Rt.7) has taken several lives due to traumatic accidents and

January 4th, 1934

Supportive Documents continued

and still nothing has been done to remedy the situation.

Again I mean no malice to these situations but instead only want to make a point as to the problems of safety that already exist in my community. Compared to this, my workshop warehouse poses no threat to my community!



December 20, 1933

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland

RE: Item # 99, Case # 84-165-A
Owner-Petitioner, Michael J. Svezese Jr.
Variance Petition

Dear Mr. Jablon,
I, Charles Bosch, owner of Bosch Distributin, Co. and the property known as 9415 Philadelphia Rd., do hereby attest on this 20th day of December, 1933 that I have seen the plans and scale model, of the adjoining property known as 9505 Philadelphia Rd. The plans and model were shown to me by Mr. Michael J. Svezese Jr. owner of 9505 Philadelphia Rd. on 12/27/33. Due to work, I regret that I am unable to attend the variance hearing on January 4th 1934 on Mr. Svezese's behalf. Although, here is my telephone # for any further questions you might have concerning this case.

Sincerely,
Charles Bosch
391-7700

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland

RE: Item # 99, Case # 84-166-A
Owner-Petitioner, Michael J. Svezese Jr.
Variance Petition

Dear Mr. Jablon,
I, John M. Svezese, owner of the property known as 9501 Philadelphia Rd., do hereby attest on this 28th day of December 1983 that I have seen the plans and scale model, of the adjoining property known as 9505 Philadelphia Rd. The plans and model were shown to me by Mr. Michael J. Svezese Jr. owner of 9505 Philadelphia Rd. on 12/27/83. Due to work, I regret that I am unable to attend the variance hearing on January 4th, 1984, on Mr. Svezese's behalf. Although, here is my telephone # for any further questions you might have concerning this case.

Sincerely,
John M. Svezese Jr.
9501 Philadelphia Rd.
391-3333

would not be for retail use and would not be open to the public. It would solely be for the express purpose and intent of doing the Petitioner's custom work on the site. The only help would be provided by the Petitioner's father, who has certain expertise in the carpentry field.

In an M.L.R. Zone, the required minimum setbacks are 30 feet for the side yards, a sum of the side yards of 80 feet, and where near a residential zone, no building can be constructed less than 100 feet from that residential zone line. Inasmuch as the property is only 70 feet wide, it would be impossible to use that area of the lot zoned M.L.R. if these variances were not granted. It is important to note that the property owners to the south do not object. See Petitioner's Exhibit 2. It is equally important to note that the property to the north is vacant and shall remain so. It is clear that the proposed building can only enhance the area and be an added benefit. See Petitioner's Exhibits 3 and 4.

The Petitioner seeks relief from Sections 250.2 and 250.4, pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for

area variance, the Petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING

DATE *January 4, 1984*
BY *John M. Svezese Jr.*
ADMINISTRATIVE ASSISTANT

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland

RE: Item # 99, Case # 84-166-A
Owner-Petitioner, Michael J. Svezese Jr.
Variance Petition

Dear Mr. Jablon,

In conclusion, I would like to say. Many people have goals in life and make resolutions as the new years come and go. Although not many people follow up on their dreams and goals. I am an individual who believes that life is too short to waste and this woodshop warehouse has been a dream of mine for at least 12 years. I want to utilize my time to the best of my trained abilities. Living and working close to home will be a convenient and great way to achieve this.

My family is very important to me and I must provide the best I can for them. In order to do this I must utilize my expertise (became available upon request). I have the abilities, purchased the properly zoned property, and need this building for my family and I to survive. Your power to grant this variance is vital to me.

I've tried my best to research the laws and put together enough information and facts for you. If more information is needed please do not hesitate to call me at 374-1511. My families and I's future depends on your decision, without it will be a definite hardship for us. Thanks so much for your time.

Sincerely,
Michael J. Svezese Jr.
Michael J. Svezese Jr.

ORDER RECEIVED FOR FILING

DATE *January 4, 1984*
BY *John M. Svezese Jr.*
ADMINISTRATIVE ASSISTANT

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of January, 1984, that the Petition for Variances to permit side yard setbacks of 22 feet instead of the required 30 feet and 100 feet and a sum of the side yard setbacks of 44 feet instead of the required 80 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. A landscaping plan shall be submitted to the Zoning Office and shall become a part of this Order.

Arnold Jablon
Zoning Commissioner of
Baltimore County

Mr. Nicholas B. Comodari,
Chairman Zoning Plans Advisory Committee
County Office Building
111 W. Chesapeake Ave.
Towson Md. 21204

RE: Item No. 99- case No. 84-166-A
Baltimore County Zoning Plans Advisory
Committee, Petition and Site Plan
Evaluation Comments.

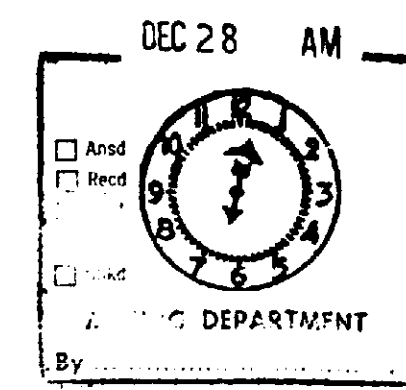
MICHAEL J. SVEZESE, JR.

Dear Mr. Comodari,

I am writing to you in reference to the evaluation comments you have sent me on December 21st 1983. At this time I would like to say thanks for all the help your office and staff have given me on this project thus far. I learned a lot about the Zoning Department procedures, and their affiliates. I would often lost without the contacts and other department responses in the report. The information was vital in my preparation for the variance hearing on January 4th. If there is any other information that I would need to know prior to the hearing, I would appreciate it if you would contact me at 374-1511. Thanks once again on the excellent job you and your staff have done for me and wish that all happy holidays from a grateful property owner of Baltimore County!!! See you around.

Have a very happy holiday,

Michael J. Svezese Jr.
Michael J. Svezese Jr.
9505 Philadelphia Rd.



DESCRIPTION

Beginning for the same on the southeast side of Philadelphia Road at the distance of 546.67 feet southwest of the centerline of Middle River Road and running the following courses and distances S 54° 0' W 70', thence S 33° 0' E 626 1/2 feet, thence N 54° 9' E 70', thence N 33° 0' W 626 1/2 feet to the point of beginning. Saving and excepting that portion of the lot which is zoned D.R. 16. In the 15th Election District.

Known as 9505 Philadelphia Road.

IN RE: PETITION ZONING VARIANCES
SE/S of Philadelphia Road,
546.67' SW of the centerline
of Middle River Road - 15th
Election District
Michael J. Svezese, Jr.,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-166-A

Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit side yard setbacks of 22 feet instead of the required 30 feet and 100 feet and a sum of the side yard setbacks of 44 feet instead of the required 80 feet. The purpose of the requests is to allow the Petitioner to construct a workshop on his property, as more fully described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants.

Testimony indicated that the frontage of the property, where the house is located, is zoned D.R.16 and the rear portion, where the workshop is proposed, is zoned M.L.R. with an I.M. District. The property to the south is zoned similarly. The property to the north is entirely zoned D.R.16 and cannot be developed due to a stream and a drainage reservation running through it. It had been zoned D.R.16 in the front and M.L.R.-I.M. in the rear prior to 1980; however, the rear portion was changed to D.R.16 at that time. The property partially within the Petitioner's proposed new building is commercial.

The Petitioner is a vocational teacher at Essex and Dundalk Community College and Eastern Vocational High School. Additionally, he operates a part-time consulting business specializing in custom work from his home, but due to the expansion of the business and an expected child, he wants to construct a workshop to operate from and to store the necessary tools. The proposed building

ORDER RECEIVED FOR FILING

DATE *January 4, 1984*
BY *John M. Svezese Jr.*
ADMINISTRATIVE ASSISTANT

PETITION FOR VARIANCE

15th Election District

ZONING: Petition for Variance

LOCATION: Southeast side of Philadelphia Road, 546.67 ft. Southwest of the centerline of Middle River Road

DATE & TIME: Wednesday, January 4, 1984 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit side yard setbacks of 22 ft. instead of the required 30 ft. and the sum of 44 ft. instead of the required 80 ft. and to permit a setback of 22 ft. from a residential zone line in lieu of the required 100 ft.

The Zoning Regulation to be excepted as follows:
Sections 250.2 and 4 - side yard, sum of side yard setbacks and distance to a residential zone in a M.L.R. zone

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Michael J. Svezese, Jr., as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY